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TERMINAL DISCLAIMER TO OBViate A PROVISIONAL DOUBLE PATENTING REJECTION OVER A PENDING "REFERENCE" APPLICATION

Docket Number (Optional)
1166/71117

In re Application of Kenneth F. DEFREITAS et al.

Application No 10/723,486

Filed November 26, 2003

For X-RAY MAMMOGRAPHY/TOMOSYNTHESIS OF PATIENT'S BREAST

The owner*, HOLOGIC, INC, of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application which would extend beyond the expiration date of the full statutory term of any patent granted on pending **reference** Application Number 12/541,715, filed on August 14, 2009, as such term is defined in 35 U S C 154 and 173, and as the term of any patent granted on said **reference** application may be shortened by any terminal disclaimer filed prior to the grant of any patent on the pending **reference** application. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and any patent granted on the **reference** application are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

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- 2 The undersigned is an attorney or agent of record Reg No 25,161



Signature

05/20/2010

Date

Ivan S. Kavrukov

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212-278-0400
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